



# City of Del Mar Agenda Report

TO: Honorable Mayor and City Council Members

FROM: Ashlea Houston, Management Analyst  
Clem Brown, Assistant City Manager  
Captain Shane Watts, San Diego County Sheriff's Department  
Via Ashley Jones, City Manager

DATE: April 7, 2025

SUBJECT: Introduction of Ordinance to Regulate Bicycles, Including Electric Bicycles, in the City of Del Mar

## REQUESTED ACTIONS/RECOMMENDATION:

Staff recommends that the City Council introduce an Ordinance (Attachment A) adding Chapter 14.54 to the City's Traffic Code (Title 14 of the Del Mar Municipal Code) regulating the use of bicycles, including e-bikes, in the City of Del Mar.

## BACKGROUND:

Del Mar, like other neighboring jurisdictions, has seen a dramatic increase in the number of e-bikes throughout the community. E-bikes provide a clean alternative to vehicular travel and serve as a more efficient mode of transportation compared to a traditional bicycle. However, inexperienced or unsafe e-bike riders can put pedestrians and drivers at risk of serious injuries or even death. Fatal e-bike collisions in the neighboring cities of Carlsbad and Encinitas led both cities to act by adopting e-bike regulations with increased enforcement abilities. The City of Solana Beach also updated its municipal code to incorporate e-bike regulations modeled after those two cities' provisions.

In Del Mar, the City Council has identified e-bike safety as an important concern, as echoed by the San Diego County Sheriff's Department and members of the community. Moreover, the Fiscal Year (FY) 2024-2025 City Council Work Plan includes a Tier 2 priority item to update the Del Mar Municipal Code (DMMC) to add e-bike regulations reflecting those of our neighboring jurisdictions in Encinitas and Solana Beach.

## DISCUSSION/ANALYSIS:

Largely initiated by the pandemic, the rapid increase in e-bike riders has highlighted the need for adopting regulations to promote the safety of all bicycle riders and pedestrians, including e-bike riders. Many new e-bike riders may not know or do not properly follow the rules of the road, putting themselves and others at risk of serious injuries or death.

The Sheriff's Department encourages consistent enforcement of e-bikes across all three cities serviced by the North Coastal Sheriff's Station, including Del Mar, Encinitas, and Solana Beach. Encinitas and Solana Beach have adopted updates to their municipal

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City Council Action:

codes to provide the Sheriff's Department with alternative enforcement options and educational tools for e-bike riders.

Along with updating e-bike regulations, the Sheriff's Department encourages the cities it services to offer a diversion program as an alternative to issuing citations for violations of bicycle and e-bike laws. Both Encinitas and Solana Beach have included diversion programs in their municipal code updates. A diversion program allows a deputy to require the completion of a bicycle training safety course under the provisions of the municipal code instead of triggering the California Vehicle Code (CVC) citation process, which requires appearance in traffic court and payment of a fine defined by the CVC, or completion of traffic school. Instead, first-time violators are typically diverted to bicycle training safety courses hosted by the San Diego Bicycle Coalition.

The Ordinance (Attachment A) proposes adding Chapter 14.54 to the DMMC to regulate bicycle and e-bike activity in the City. Currently, aside from the Pilot Bike Share Program governed under DMMC Chapter 14.60, the DMMC lacks a chapter dedicated specifically to bicycle/e-bike regulations. If adopted, the proposed new Chapter 14.54 would provide a Citywide definition of bicycles, to include e-bikes, consistent with the definition under the CVC; specify regulations applicable to riders and their passengers; and give the Sheriff's Department authority to divert first-time bicycle/e-bike offenders to a bicycle safety training program rather than issuing a citation. The proposed regulations are consistent with existing regulations in effect in Encinitas and Solana Beach. The Sheriff's Department has also reviewed and is supportive of the proposed regulations. Adopting the proposed Ordinance will facilitate a unified enforcement approach across the three cities services by the North Coastal Sheriff's Station and further protect the safety of riders and pedestrians.

If introduced by the City Council, the Ordinance would return to Council for consideration and adoption on April 21, 2025, and would be effective 30 days after adoption.

FISCAL IMPACT:

There is no fiscal impact or action to be taken related to this Agenda item.

ENVIRONMENTAL IMPACT:

The proposed City Council action does not constitute a "project" under the definition set forth in California Environmental Quality Act (CEQA) Guidelines Section 15378 because it will not have a potential to result in a direct or indirect physical change in the environment and is, therefore, not subject to CEQA. No further action under CEQA is required.

NEXUS TO CITY COUNCIL GOALS AND PRIORITIES:

E-Bike Safety – Municipal Code Amendments is listed as a Tier 2 City Council priority for FY 2024-2025.

ATTACHMENTS:

Attachment A — Proposed Ordinance to Regulate Bikes/E-Bikes

ORDINANCE No. XXXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, ADDING CHAPTER 14.54 TO THE DEL MAR MUNICIPAL CODE REGULATING BICYCLES, INCLUDING ELECTRIC BICYCLES, IN THE CITY OF DEL MAR

WHEREAS, the City of Del Mar (City) enacted Title 14 of the Del Mar Municipal Code (DMMC) to regulate traffic within the City; and

WHEREAS, violations of DMMC Title 14 provisions are generally punishable as infractions, unless otherwise expressly stated; and

WHEREAS, the City has seen an increase in the use of electric bicycles, also commonly referred to as “e-bikes”, within the City; and

WHEREAS, the City Council desires to adopt provisions regulating the use of bicycles within the City, including e-bikes, to continue protecting the public health, safety and welfare of the community and its residents and visitors, including by enhancing traffic and pedestrian safety; and

WHEREAS, the City Council further desires to allow first-time offenders who violate any such provisions with an opportunity to take an approved bicycle training safety course in lieu of receiving a citation.

NOW, THEREFORE, the City Council of the City of Del Mar, California, does hereby ordain as follows:

**SECTION ONE:**

The above recitals are true and correct and are incorporated by reference into this action.

**SECTION TWO:**

That a new Chapter 14.54 be added to the Del Mar Municipal Code as follows:

**Chapter 14.54 – Bicycles**

**14.54.010 – Purpose.** The purpose of this Chapter is to establish regulations regarding the use of Bicycles and Electric Bicycles on any public roadway, street, highway, parkway, right-of-way, alley, or other public property within the City of Del Mar.

**14.54.020 – Definitions.** For purposes of Chapter 14.54, the following definitions shall apply:

*Bicycle* shall have the same meaning as ascribed in California Vehicle Code Section 231, as that section may be amended from time to time. The term Bicycle as used herein shall include Electric Bicycles, as defined below.

*Electric Bicycle (E-bike)* shall have the same meaning as ascribed in California Vehicle Code Section 312.5, as that section may be amended from time to time.

*Business District* shall mean any commercial zone in the City of Del Mar, including but not limited to commercial zones within the Village Center District.

**14.54.030 – Laws Applicable to Persons Operating and/or Riding Bicycles.**

- A. Any person operating or riding a Bicycle shall exercise reasonable care and safety, and shall observe all applicable laws, including, but not limited to, yielding to pedestrians and obeying the instructions of official traffic control signals, signs, and other devices applicable to vehicles.
- B. Any person operating or riding a Bicycle upon a roadway shall be granted those rights and subject to those duties established by the laws of the State of California and by this Title, which are applicable to persons operating or riding in a vehicle, except for those provisions that, by their nature, can have no application.
- C. It shall be unlawful for any person required by the California Vehicle Code to wear a helmet while operating or riding a Bicycle to wear the helmet in any way other than the fashion for which the helmet is designed to be worn, including, but not limited to, the use of straps and strap closure mechanisms.
- D. It shall be unlawful for any person operating or riding a Bicycle to cling or attach themselves or the Bicycle to any other moving vehicle.

**14.54.040 – Areas Where Riding Bicycles is Prohibited.**

Within the City of Del Mar, it shall be unlawful for any person to ride a Bicycle in, on or upon:

- A. Any sidewalk in a Business District.
- B. Any sidewalk posted with signs prohibiting such riding.
- C. Any street with a designated bicycle path or way.
- D. Any park or preserve (consistent with Section 8.04.090 of this Municipal Code).
- E. Any trail or walkway within the confines of the San Dieguito Lagoon and River Valley, unless designated and signed as permitting Bicycle access (consistent with Section 8.12.030 of this Municipal Code).

**14.54.050 – Enforcement.**

In lieu of the imposition of the penalties authorized by this Title and/or the filing of charges in a court of competent jurisdiction, the Sheriff or Chief of Police or designee may allow a first-time violator of this Chapter to complete an agency-approved bicycle training safety course, if and when such a program is available.

**SECTION THREE:**

The City Council finds that approval of this Ordinance is exempt from the preparation of an environmental document pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15378. This action does not constitute a “project” under the definition set forth in CEQA Guidelines Section 15378 because it will not have a potential to result in a direct or indirect physical change in the environment and is, therefore, not subject to CEQA. No further action under CEQA is required.

**SECTION FOUR:**

This Ordinance was introduced by the City Council on April 7, 2025.

**SECTION FIVE:**

The City Clerk is direct to prepare and have published a summary of this Ordinance no less than five days prior to the consideration of its adoption and again within 15 days following adoption indicating votes cast.

**SECTION SIX:**

If any section, subsection, subdivision, paragraph, sentence, clause, phrase or portion of this Ordinance is, for any reason, held invalid or unconstitutional, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance.

**SECTION SEVEN:**

Upon adoption, the Ordinance will take effect and be in force 30 days from the date that the City Council takes action to adopt the Ordinance.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Del Mar, California, at a regular meeting held on the 21<sup>st</sup> day of April 2025.

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Terry Gaasterland, Mayor  
City of Del Mar

**APPROVED AS TO FORM:**

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Leslie E. Devaney, City Attorney  
City of Del Mar

ATTEST AND CERTIFICATION:

STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO  
CITY OF DEL MAR

I, SARAH KRIETOR, Administrative Services Manager/City Clerk of the City of Del Mar, California, DO HEREBY CERTIFY, that the foregoing is a true and correct copy of Ordinance No. XXXX, which has been published pursuant to law, and adopted by the City Council of the City of Del Mar, California, at a Regular Meeting held the 21st day of April 2025, by the following vote:

AYES:

NOES:

RECUSE:

ABSENT:

ABSTAIN:

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Sarah Krietor, Administrative Services  
Manager/City Clerk  
City of Del Mar